

STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
302 W. WASHINGTON STREET, SUITE E-306
INDIANAPOLIS, INDIANA 46204-2764

<http://www.state.in.us/iurc/>
Office: (317) 232-2701
Facsimile: (317) 232-6758

IN THE MATTER OF PETITION OF)
IQ TELECOM, INC. FOR A CERTIFICATE)
OF TERRITORIAL AUTHORITY TO)
PROVIDE FACILITIES-BASED)
SWITCHED AND SPECIAL ACCESS)
LOCAL EXCHANGE)
TELECOMMUNICATIONS SERVICES)
THROUGHOUT THE STATE OF INDIANA,)
FOR DECLINATION OF COMMISSION)
JURISDICTION UNDER I.C. 8-1-2.6,)
CONSENT FOR USE OF PUBLIC RIGHT)
OF WAY UNDER I.C. 36-2-2-23, AND FOR)
AUTHORITY TO PROVIDE CALLER ID)
SERVICES)

CAUSE NO. 42512

FILED

FEB 04 2004

INDIANA UTILITY
REGULATORY COMMISSION

You are hereby notified that on this date, the Indiana Utility Regulatory Commission ("Commission") has caused the following entry to be made:

On September 9, 2003, IQ Telecom, Inc. ("Petitioner") filed its Petition with the Indiana Utility Regulatory Commission ("Commission") for authority to provide facilities-based switched and special access local exchange services to the public within the State of Indiana. Pursuant to notice and as provided for in 170 I.A.C. 1-1.1-15, a Prehearing Conference in this Cause was held in Room E306 of the Indiana Government Center South, Indianapolis, Indiana at 2:30 p.m., on October 15, 2003, during which a procedural schedule was set.

On November 5, 2003, the Public filed its *Motion for Extension of Procedural Schedule* ("Motion"), citing as cause for relief an inability through advertence to meet the current schedule. The Presiding Officer granted the Public's Motion and modified the schedule accordingly. On December 5, 2003, the Public filed its *Second Motion for Extension of Procedural Schedule* ("Motion"), citing as grounds for relief the Petitioner's failure to answer the Public's propounded discovery as cause for the Public's inability to meet the current schedule. The procedural schedule was duly modified.

The Presiding Officer, having reviewed all relevant documents and being duly advised in the premises, hereby finds as follows:

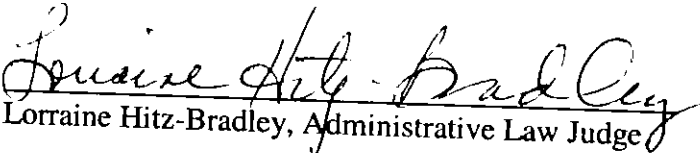
The evidentiary hearing in this matter is to be conducted on Monday, February 9, 2004, at

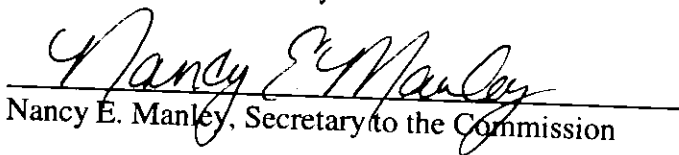
9:30 a.m. in Room E306 of the Commission. At that time, Petitioner should be prepared to supplement its testimony with the following:

1. Complete financial statement, on an accrual basis, with all disclosures.
2. Clarified and expanded information regarding the technical experience of Petitioner's principals.

IT IS SO ORDERED.

Date: 2/4/04


Lorraine Hitz-Bradley, Administrative Law Judge


Nancy E. Manley, Secretary to the Commission